

1 **July 28, 2009**

2 **REGULAR MEETING OF THE BOARD OF DIRECTORS OF**  
3 **THE NORTH COUNTY FIRE PROTECTION DISTRICT**

4 President Graham called the meeting to order at 17:01.

5 **THE INVOCATION GIVEN BY CHIEF METCALF.**

6 **ALL RECITED THE PLEDGE OF ALLEGIANCE.**

7 **ROLL CALL: Present:** Directors Harris, Hooper, Munson, Schaden and Thuner.

8 **Absent:** None.

9 **STAFF: Present:** Fire Chief/CEO Metcalf, Attorney James and Board Secretary  
10 Stephen-Porter. In the audience were: Deputy Chief Torchia, Division Chief Morel, Battalion  
11 Chief Abbott and members of the public.

12 **PUBLIC ACTIVITIES AGENDA**

13 1. **PUBLIC COMMENT:** President Munson addressed the audience and inquired whether  
14 there were any public comments regarding items not on the Agenda. Fallbrook Firesafe  
15 Council (FSC) representative Fred Luevano read a letter praising Chief Morel and brought the  
16 Board up-to-date on grants for weed abatement. He noted that Chief Morel and the Safety  
17 staff had “saved the day” during one of the Fallbrook events, stepping in for absent members,  
18 making themselves and their equipment available to the public. He specifically acknowledged,  
19 Captains Don Krafft and John McKnight and FF/PM Richard Bastien. Chief Morel informed the  
20 Board that Mr. Leuvano had again won the Volunteer of the Year award for his efforts with  
21 FSC.

22 2. **EMPLOYEE BADGE PINNING — CHIEF METCALF:** Chief Metcalf acknowledged the  
23 promotional members, Dan Nieto (Mechanic III Supervisor) and Peter August (Engineer),  
24 allowing family and friends to share in the badge pinning. They were congratulated by  
25 members of the Board and Staff.

26 **ACTION AGENDA**

27 **CONSENT ITEMS:**

28 3. **APPROVE REGULAR BOARD MEETING MINUTES, JUNE 2009**

29 4. **REVIEW AND ACCEPT FINANCIAL REPORT FOR JUNE 2009**

- 30 5. REVIEW AND ACCEPT POLICY & PROCEDURES
- 31 6. REVIEW AND ACCEPT EMERGENCY SERVICE OVERTIME TRACKING REPORT REVIEW AND
- 32 ACCEPT EMERGENCY STATISTICS REPORT
- 33 8. REVIEW AND ACCEPT FIRE PREVENTION REPORT
- 34 9. REVIEW AND ACCEPT CUSTOMER SATISFACTION SURVEY PROGRAM RESULTS
- 35 10. REVIEW AND ACCEPT TRAINING REPORT
- 36 11. REVIEW AND ACCEPT MAINTENANCE DIVISION REPORT

37 President Munson inquired whether there were any questions on Items 3-11. Brief discussion  
38 ensued regarding the amounts for ambulance billing. Director Thuner made inquiries  
39 regarding the use of annual leave and overtime tracking. Chief Metcalf informed the Board of  
40 the incentives used by the District to reduce sick leave usage. There being no further  
41 discussion, President Munson asked for a motion to approve the consent agenda. On a  
42 motion by Director Harris to approve Items 3-11, which was seconded by Director Schaden,  
43 the motion passed unanimously.

44 **ACTION ITEMS:**

45 12. RECOMMENDATION FOR REVISIONS TO THE BOARD RECOGNITION PROGRAM — AD HOC

46 **COMMITTEE:** Directors Harris and Thuner presented modifications to the program suggested by  
47 the Ad Ho Committee, including continuation of the monthly input to the Board and quarterly  
48 awards and acknowledgement, removal of the categorical restraints of Safety, Non-Safety and  
49 management, keeping three awards per month if candidates are identified permitting more  
50 than three awards per quarter, so long as they do not exceed twelve awards per year, permit  
51 Team Awards, with an amount of \$75.00 per award. On a motion by Director Harris to revise  
52 the Program as presented, which was seconded by Director Thuner, the motion passed  
53 unanimously.

54 13. REVIEW AND APPROVE AMENDED JOINT EXERCISE OF POWERS AGREEMENT FOR THE NORTH

55 **COUNTY DISPATCH JPA — DIRECTOR HOOPER AND CHIEF METCALF:** Director Hooper and Chief  
56 Metcalf presented the proposed changes to the MOU, noting that most were housekeeping to  
57 make the agreement more workable. Chief Metcalf noted the agreement had not been  
58 modified since its inception. A number of items that were better executed in policy were

59 moved out of the agreement to policies. The agreement, which has been reviewed and  
60 approved by District Counsel, has also been reviewed by numerous other legal counsels. On  
61 a motion by Director Harris, which was seconded by Director Schaden, the motion to approve  
62 the Amendment of the JPA Agreement was unanimously approved as presented.

63 14. **REVIEW AND CAST VOTE FOR SPECIAL DISTRICT RISK MANAGEMENT ASSOCIATION BOARD OF**  
64 **DIRECTORS, NCFPD RESOLUTION 2009-13:** CHIEF METCALF INFORMED THE Board that SDRMA's  
65 Board of Directors elections were elections, an annual event, were due, with four seats open  
66 on the Board. Discussion ensued regarding the nominees. Director Hooper made a motion to  
67 cast votes for three nominees: Ed Gray, David Aranda and John Yeakley, seconded by  
68 Director Harris. Roll call vote was: **AYES:** Directors Harris, Hooper, Munson, Schaden and  
69 Thuner; **NOES:** None.

70 15. **REVIEW AND APPROVE RECOMMENDATION FOR FIRE PREVENTION FEE SCHEDULE — D/C**  
71 **MOREL:** D/C Morel presented the request to leave the Fire Prevention Fee Schedule  
72 unchanged for the coming year as the County has not changed its fees or policy and there  
73 were no increases in manpower costs during the coming year. Discussion ensued regarding  
74 recent proposed language changes to County policy. Chief Metcalf informed the Board he had  
75 been watching and keeping in touch with DPLU from the county, who has informed the District  
76 DPLU does intend to usurp the local fire district's authority. The Staff will continue to watch  
77 this area closely and keep the Board updated. On a motion by Director Hooper, seconded by  
78 Director Schaden, the Board unanimously approved the recommendation for fire prevention  
79 fees as presented.

## 80 **DISCUSSION AGENDA**

81 16. There were no discussion items for the March 24<sup>th</sup> Board meeting.

### 82 **STANDING DISCUSSION ITEMS:**

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84 • **LEGAL COUNSEL REPORT:** Counsel James presented his letter "A Public Official  
85 Cannot Be Criminally Prosecuted For Aiding And Abetting A Financially Profitable Contract  
86 With The City." Brief discussion ensued, noting this is somewhat of a surprising holding.

87 Discussion ensued regarding whether this is a precedent setting case. This is informational  
88 only, no action required.

89 • **WRITTEN COMMUNICATIONS:** Chief Metcalf reviewed communications with the  
90 Board. Informational only, no further action required.

91 • **BOARD RECOGNITION PROGRAM:** The information submitted was reviewed with  
92 discussion about Informational only, no further action required. Director Hooper noted that the  
93 information provided on the Customer Service Report “Comments” section, is very helpful to  
94 the Board.

95 • **NEWS ARTICLES:** Chief Metcalf directed the Board’s attention to various articles and  
96 discussion ensued regarding having a number on the website to contact the County for non-  
97 emergency information. Informational only, no further action required.

98 • **COMMENTS:**

99 • **STAFF REPORTS/UPDATES:**

100 • **UPDATE ON STATION CONSTRUCTION:** Deputy Chief Torchia informed the Board had  
101 received reports back from the geotechnical company, which he will be reviewing in the next  
102 week. From his overview, the site looks to be amenable to building the station. The District  
103 has applied for the stimulus building grant as promised. In addition, in the next week, the  
104 District will be interviewing architectural firms, with the aim to be ready to begin building when  
105 the grants are awarded.

106 • **BILL METCALF, FIRE CHIEF/CEO:** Chief Metcalf discussed the suspension of Prop 1A,  
107 as the District had concerns over. He expects the State will be taking a minimum of 8%.  
108 Options were discussed, including the affects the loss of revenue may have on service in the  
109 District. Chief Metcalf informed the Board there may be an option for a District to apply for a  
110 waiver, which would then shift the remaining amounts to other Districts. Given all the  
111 variables, the District will not know exactly what will be taken until they are notified. Chief  
112 Metcalf informed the Board the Staff had been very close on the estimate of tax revenue to be  
113 realized this year, with the number being provided earlier than usual. Chief Metcalf informed  
114 the Board he had the privilege of accepting the \$8,000 grant for AEDs for the Staff vehicles at  
115 a recent Fallbrook Hospital District meeting. Chief Metcalf also noted that he has been

116 working with J. Powers on the proposed annexation in the contract area. He will be meeting  
117 again with the principals from J. Powers and SDG&E to move this forward. Chief Metcalf  
118 informed the Board that the District had received the \$40,000 to provide service in that area.  
119 Until the Sheriff switches over the dispatch for calls in the area, the District cannot assume  
120 responsibility. He has been working with the County and the Sheriff's Department to ensure  
121 this occurs. Informational only, no further action required.

122 • **CHIEF OFFICERS:** Chief Morel informed the Board that with the assistance of CERT, the  
123 District is delivering public education materials, "Before the Threat," as is being done  
124 throughout the County. Informational only, no further action required.

125 • **BOARD:** Director Hooper inquired whether the District would be doing a press release of  
126 the amount and the impact the suspension under Prop 1A would have on the District and  
127 its services. Chief Metcalf stated that until the full amount is known, the press release  
128 should be put on hold. Informational only, no further action required.

129 • **BARGAINING GROUPS:** No comments.

130 • **PUBLIC COMMENT:** No comments.

### 131 **CLOSED SESSION**

132 At 6:02 p.m., President Munson inquired whether there was a motion to adjourn to closed  
133 session. Director Schaden moved to go to closed session after a short break, which was  
134 seconded by Director Thuner, which motion was passed unanimously. At 6:12 p.m., the Board  
135 entered Closed Session to hear:

136 • **EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

137 CHIEF METCALF

DISTRICT COUNSEL JAMES

138 • **EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

139 ENGINEER RICHARD NEEDHAM

DEPUTY CHIEF TORCHIA

140 • **REOPENING OPEN SESSION:**

141 On a motion by Director Harris, which was seconded by Director Schaden and which passed  
142 unanimously, the Board returned open session at 6:37 p.m., the following items were reported  
143 out to the public:

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- **EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

CHIEF METCALF DISTRICT COUNSEL JAMES

On a motion by Director Harris, which was seconded by Director Hooper, the Board unanimously approved renewal of Chief Metcalf’s contract.

- **EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

ENGINEER RICHARD NEEDHAM DEPUTY CHIEF TORCHIA

On a motion by Director Schaden, which was seconded by Director Harris, the Board unanimously approved Resolution 2009-12 as presented.

### ADJOURNMENT

A motion was made at 6:39 p.m. by Director Thuner and seconded by Director Harris, to adjourn the meeting and reconvene on, August 18, 2009, at 17:00. The motion carried unanimously.

Respectfully submitted,

  
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Loren Stephen-Porter  
Board Secretary

Minutes approved at the Board of Director’s Meeting on: August 18, 2009